IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WP(C).No. 16771 of 2007(V)

PETITIONER:

M/S.FLOORATEX, PRP TOWERS, KAYAMKULAM,
ALAPPUZHA DISTRICT, REPRESENTED BY ITS
MANAGING PARTNER P.R.NAG.

BY ADV. SRI.V.P.SUKUMAR
SRI.KURYAN THOMAS

RESPONDENTS:

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1. THE COMMERCIAL TAX OFFICER, KAYAMKULAM.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM.

3. THE DEPUTY TAHSILDAR (RR),
HARIPAD.

BY ADV. SHRI. MOHAMMED RAFFIQ, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 16771 of 2007

Dated, this the 1st day of June, 2007

J U D G M E N T

Heard learned counsel for the petitioner and the learned Government Pleader.

2. Having regard to the contentions raised, this WP(C) is disposed of modifying Ext.P8 stay order by reducing payment from 50% to 25% of the tax assessed as per Ext.P3, which petitioner is directed to pay within one month from now. There will be stay against recovery proceedings till disposal of the appeal on petitioner making payment as above. If payment is made, appellate authority will take up the appeal and dispose of the same within three months from the date of making payment as above. If petitioner does not make payment as above, entire balance tax can be recovered from the petitioner during pendency of the appeal. Appeal in that case will be disposed of in the usual course.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg